

**FILED**

**MAR - 9 2012**

ATRICK E. DUFFY, CLERK

DEPUTY CLERK, HELENA

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MONTANA  
GREAT FALLS DIVISION

\*\*\*\*\*

UNITED STATES OF AMERICA

CR 99-96-GF-CCL

Plaintiff,

-vs-

ORDER

LEONARD KEITH GRAY HAWK,

Defendant.

\*\*\*\*\*

Pending now before the Court is the Findings & Recommendations  
("F&R") filed by Magistrate Judge Keith Strong on February 16, 2012. No  
objection has been lodged against the F&R within the 14-day deadline.

Upon stipulation of the parties, Magistrate Judge Strong found that  
Defendant Gray Hawk violated his conditions of release by using  
methamphetamine, as evidenced by his positive test on December 14, 2011.


Defendant was informed that the Chapter 7 guideline range for both Count IV and Count V is 6 to 12 months incarceration with a maximum of three years supervised release to follow. The Magistrate Judge describes Defendant's allocution as sincere and credible. Defendant informed the Court that his drug use occurred only one time, he was gainfully employed up until arrest, and he was trying to reconnect with his family.

The Magistrate Judge recommends that Defendant Gray Hawk be revoked and resentenced to a nine month term of incarceration as to both Counts IV and V, to be served concurrently, followed by 27 months of supervised release on each Count, also to be served concurrently. Accordingly,

The Court hereby adopts the Findings and Recommendations (Doc. 52) of Magistrate Judge Strong in full and shall enter Judgment accordingly.

The Clerk is directed forthwith to notify counsel, Magistrate Judge Strong, and the United States Probation Office of entry of this order.

Done and dated this 9<sup>th</sup> day of March, 2012.

  
CHARLES C. LOVELL  
SENIOR UNITED STATES DISTRICT JUDGE